

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDGAR W. TUTTLE, ERIC BRAUN, and THE  
BRAUN FAMILY TRUST by its co-trustee ERIC  
BRAUN, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

SKY BELL ASSET MANAGEMENT, LLC, *et al.*,  
Defendants.

No. C 10-03588 WHA

**ORDER REGARDING REQUEST  
FOR RELIEF FROM DEADLINE  
TO DISSEMINATE CLASS  
NOTICE AND FOR LEAVE TO  
FILE A MOTION FOR  
PRELIMINARY APPROVAL OF  
THE PARTIES' MEDIATED  
SETTLEMENT**

Plaintiffs and defendant Rothstein Kass & Company, PC have submitted a request seeking relief from the March 23, 2012, deadline to disseminate class notice. They also seek leave to file a motion for preliminary approval of the parties' mediated settlement (Dkt. No. 331).

This matter was previously referred to Magistrate Judge Joseph C. Spero for mediation and settlement (Dkt. No. 60). Magistrate Judge Spero is familiar with the undersigned judge's views on fairness to absent class members in any proposed class-action settlement. Counsel are ordered to explain why they violated the order of referral and pursued private mediation.

1 The deadline to disseminate the class notice will be extended to **NOON ON MARCH 26.**  
2 Counsel must submit under seal, a copy of the proposed settlement.

3  
4 **IT IS SO ORDERED.**

5  
6 Dated: March 21, 2012.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE